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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,550	04/14/2004	Yoichi Nakano	S003-5263	8841

7590 12/15/2005

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EXAMINER

SUTHAR, RISHI S

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	10/825,550		NAKANO ET AL.	
	Examiner		Art Unit	
	Rishi Suthar		2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 8-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7 and 15-17 is/are rejected.
- 7) ☒ Claim(s) 4-6 and 18-20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I (claims 1-7 and 15-20) in the reply filed on 11 November 2005 is acknowledged.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanikawa et al. (U.S. Patent No. 6,485,200).

As to claims 1 and 15, Tanikawa et al. teaches in Fig. 1-4 a sector drive unit for driving sectors to open and close an aperture formed on a base plate (not shown) comprising: a first actuator (11), a drive force transmitting mechanism (6, 7), a sector retaining unit (2) for retaining the sectors at a position opening and closing the aperture (col. 3, lines 55-65; col. 5, lines 54-59), and a second actuator (col. 5, lines 2-5) for driving the sector retaining unit.

As to claims 2 and 16, Tanikawa et al. teaches in Fig. 1-4 where the drive force transmitting mechanism comprises a drive member (6) connected to a rotary shaft (5a)

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of the first actuator, and an operating member (7) for operating the sectors in response to a driving force exerted by the drive member; the sector retaining unit has a locking member (2) mounted so as to be moved in or retracted from an operating area of the operating member, the locking member being configured to restrict the operation of the locking member when the locking member is moved in the operating area and to release the restricted state of the operating member when the locking member is retracted from the operating area.

As to claim 3 and 7, Tanikawa et al. teaches the second actuator comprises an electrically energizeable actuator which is turned off when the sector retaining unit is at the position for retaining the sectors and turned on when the sector retaining unit is at a position where the sectors are not retained (col. 5, lines 2-15).

As to claim 17, Tanikawa et al. teaches the second actuator comprises an electromagnetic actuator energizeable to drive the sector retaining unit to the non-retaining position and deenergizeable to permit the sector retaining unit to be driven to the retaining position.

Allowable Subject Matter

3. Claims 4-6 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Toyoda (U.S. Patent No. 4,671,637) teaches a shutter controlling mechanism for a camera which has a retaining unit for retaining the sectors.

Telephone Numbers

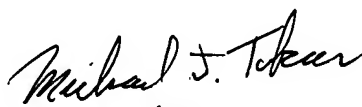
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rishi Suthar whose telephone number is 571-272-8456. The examiner can normally be reached on M-F 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rishi Suthar
Examiner
Art Unit 2851

RS


Michael Tokar
Supervisory Patent Examiner
Technology Center 2800